IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4621 of 2005

Between:

V. Prabhakar, S/o. V.V. Appa Rao,
R/o. 12-13-588/A/25, 2nd Floor, Nagarjuna Nagar,
Tarnaka, Secunderabad.

... PETITIONER

AND

1 The Collector, R.R. District, at Lakdikapool, Hyderabad.
2 The Sub-Registrar, Sub-Registrar Office, Medchal, R.R. District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the Resondent No. 2 in not accepting the registration of document in respect of Plot No. 236 admeasuring 222.22 Sq.yards comprised in Survey No. 348/2 of Qutubullapur Village and Mandal Proper, Ranga Reddy District covered by registered Sale Deed document No. 3638 of 1997 dated 5-8-1997 of respondent No. 2 Office as arbitrary, illegal and ultravires of the Registration Act, and consequently direct the respondents herein to register the document of the petitioner for registration of the open Plot No. 236 admeasuring 222.22 Sq.yards comprised in Survey No. 348/2 of Qutubullapur Village and Mandal Proper, Ranga Reddy District

Counsel for the Petitioner: MR.A.SATYANARAYANA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

This writ petition is filed seeking a declaration that the action of the second respondent-Sub-Registrar, in not accepting the documents for registration, executed in respect of the plot No.236, admeasuring 222.22 square yards, situated in Sy.No.348/2 of Qutubullapur Village and Mandal, Ranga Reddy District, as arbitrary and illegal.

When the matter is taken up for consideration, the learned Government Pleader for Revenue, under instructions, states that in respect of the said land notification under Section 22-A of the Registration Act, 1908, (for short 'the Act') has been issued vide G.O.Ms.No.294, dated 09-03-2005 declaring that the registration of any documents in respect of the said land is opposed to public policy.

In view of the fact that notification under Section 22-A of the Act has already been issued, the relief as prayed for cannot be granted. Accordingly, the writ petition is dismissed. However, liberty is granted to the petitioner to challenge the said notification, if he is so advised. No costs.

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G. ROHINI, J

Dated: 16-03-2005

LSK

To

1 The Collector, R.R. District, at Lakdikapool, Hyderabad.
2 The Sub-Registrar, Sub-Registrar Office, Medchal, R.R. District.

3 Two C.Cs. to the G.P. for Revenue, High Court Buildingsd, Hyderabad. (OUT)

4 Two C.D. copies.